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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,781	11/18/2003	Granville R. Fairchild	AOL0157	6168

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EXAMINER
SYED, FARHAN M

ART UNIT	PAPER NUMBER
2165	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/716,781	FAIRCHILD ET AL.
	Examiner	Art Unit	
	Farhan M. Syed	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 July 2006</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-13*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>*3,6,9 and 12*</u> is/are allowed.

6)☒ Claim(s) <u>*1,2,4,5,7,8,10,11 and 13*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>*18 November 2003*</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-13 are pending.

Allowable Subject Matter

2.   Claims 3, 6, and 9 and 12 are allowed over the prior art of record.

Applicant's Remarks

Drawings/Specifications

3.   Applicant's arguments, see page 3, filed 26 July 2006, with respect to the

drawings have been fully considered and are persuasive. The objection of the drawings

in the non-final action dated 27 April 2006 has been withdrawn.

Applicant's Arguments

Claim Rejections - 35 USC § 112

4.   Applicant's argument, see pages 3-4, filed 26 July 2006, with respect to claims

1,7, and 13 has been fully considered and are persuasive. The rejection of claims 1,7,
)
and 13 in the non-final action dated 27 April 2006 has been withdrawn.

5.   Applicant's argument, see page 4, filed 26 July 2006, with respect to claim 13

has been fully considered and is persuasive. The rejection of claim 13 in the non-final

action dated 27 April 2006 has been withdrawn.

Claim Rejections - 35 USC § 101

6.   Applicant's argument, see pages 5-7, filed 26 July 2006, with respect to claim 1

has been fully considered and is persuasive. The rejection of claim 1 in the non-final

action dated 27 April 2006 has been withdrawn.

7.   Applicant's arguments filed 26 July 2006 with respect to claims 7 and 13 have

been fully considered but they are not persuasive. Claims 7 and 13 clearly recite a "data

management equipment," where the Applicant defines the data management equipment

as embodied by various hardware components and interconnection (Applicant's

specification, page 5). Such hardware components include the use of storage to where

RAM, ROM, EEPROM, PROM, and the like are used to execute programming

instructions executed by the process (Applicant's specification, page 10). When using a

carrier wave (i.e. ROM, RAM, etc. on a carrier wave), further defined in Applicant's

specification on pages 11 and 17, to execute the programming instructions, it cannot

tangibly produce a result, thus rending the claims indefinite. The Examiner again

references *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02 and further refers to

the Interim Guidelines

(http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/guidelines101_20051026.

pdf) for a further explanation of the use of signals and carrier waves.

Response to Arguments

8.   Applicant's arguments filed 26 July 2006 have been fully considered but they are

not persuasive for the reasons set forth below:

9.   In response to applicant's argument that the applied art does not show the

claimed combination including 'providing an aggregated catalog that contains

information including: (1) metadata identifying members' data objects residing in the

data centers and (2) metadata identifying members' data objects residing in local

storage of respective member computers.', the test for obviousness is not whether the

features of a secondary reference may be bodily incorporated into the structure of the

primary reference; nor is it that the claimed invention must be expressly suggested in

any one or all of the references. Rather, the test is what the combined teachings of the

references would have suggested to those of ordinary skill in the art. See *In re Keller*,

642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Therefore, Hsiao teaches a method for operating an online service facility

selectively accessed by multiple member computers, the online service facility including

a plurality of online data centers operated by an online service provider (OSP) to store

members' data objects relating to a variety of online services that the OSP renders to its

members, the method comprising operations of (i.e. *" A scalable content management system*

manages searches from a local content manager and a plurality of remote content managers. A single

scalable content manager manages data in a content repository or file system and its associated

metadata in the same content repository or in a database, which will greatly simplify both content

management logic and client application logic. The system architecture enables users to add scalable

content managers as needed, which allows users to easily scale up the scalable content manager

system, in both data size and user connection, as business grows. With the present scalable system

architecture, a multi-node content management system will appear to be a single content management

system to users, providing location transparency." The preceding text clearly indicates that content

management system contains members' data objects, which are content contained in the content

manager, which are stored in a plurality of on-line data centers. A plurality of content management

systems, as shown in Figure 6, item 650, clearly indicate that they are contained in a plurality of data

centers.)(Abstract; Figure 6, item 650): providing an aggregated catalog that contains

information including: (1) metadata identifying members' data objects residing in the

data centers, and (2) metadata identifying members' data objects residing in local

storage of respective member computers (i.e. *"The scalable content manager 515 manages the*

metadata stored in a database 525 and the primary content stored in a local file system 530 or resource

manager, providing an integrated function of both metadata management and data (primary content)

management." The preceding text clearly indicates that metadata are stored in the respective member

computer, which is a local file system and in the data center, which is a database. It is also understood by

an ordinary person skilled in the art that the content information can be stored in multiple databases,

again, which can reside in multiple data centers. Although Hsiao does not teach the use of an aggregate

catalog, the use of metadata is described. An ordinary person skilled in the art understands that when

using metadata, it implies the use of identifying data objects that are stored in a local file system (i.e.

computer. It is irrespective of where the metadata data objects are stored, as that is the applied use of

such art.)(Column 10, lines 49-53); communicating with the member computers to identify

prescribed types of data objects newly stored in the member computers' local storage

(i.e. *"If the query were to be satisfied by the remote content managers 650, the communications manager*

645 connects to other remote content managers 650 by sending requests and receiving the search

results, as described above in connection with the content manager 515." "In a content management

system, three types of information are stored: primary content (also referred to as data or object), User

Metadata, and System Metadata. Semi-structured and unstructured data, such as text file, image, web

page, video clip, etc., constitute the primary content in a content management system." The preceding

text clearly indicates that the communication manager allows communication with other remote content

managers, which are the member computers. The querying of results and receiving search results merely

illustrates the retrieval of results (i.e. data objects) that are not found in the querying system. Thus, it is

obvious that the results retrieved are new to the content manager (i.e. member's computer) and is stored.

)(Column 12, lines 12-16; column 1, lines 55-62); updating the aggregated catalog to list the

newly stored data objects from the online data centers and member computers' local

storage (i.e. *"When an object is inserted or updated in a content management system, reference to and*

description of the object will also need to be created or updated in order to provide data consistency and

avoid a referential integrity (RI) problem." "In addition, the scalable content management architecture

provides an extensible architecture that enables users to integrate new content, and to migrate existing

content with ease and flexibility." The preceding text clearly indicates that an aggregated catalog is a type

of content management system that can be updated.)(Column 3, lines 21-25; column 4, lines 51-54);

responsive to each request by a member, searching the aggregated catalog and

utilizing results of the search to provide an output for display at the requesting member's

computer, the output comprising a consolidated listing of both online data objects and

locally stored data objects owned by the requesting member (i.e. *"Users, such as remote*

Internet users are represented by a variety of computers such as computers 37, 39, and can query a

content management system 10 for the desired information." "It also provides a single system view to

users of the content management system when metadata and objects are stored in multiple computer

nodes. The location of an object and its associated" The preceding text clearly indicates that a when a

query is submitted by the user, a response is then returned to the user. In addition, included in a content

management system contains an interface that allows a single system view to users of the content

management system. Also, the single system view contains content that is pulled from multiple nodes,

which include a locally stored data object owned by the requesting member and online data objects

stored at the data center.)(Column 8, lines 32-35; column 4, lines 40-45).

Hsiao does not explicitly teach an aggregate catalog and a method for monitoring

contents of the data centers to detect new storage of prescribed types of data objects

owned by the members.

Johnson '*384* teaches an aggregate catalog (i.e. *"The information is collected in real-time, on a operation-by-operation basis, and is ultimately aggregated, for example, at the household level in a central location. The aggregated data is thereafter transmitted to a central server for data analysis purposes." "Periodically, the files saved in memory 106 are uploaded to central server 20 (see FIG. 1) which aggregates information from all the hardware devices being monitored. Thereafter, central server 20 sends the information to server 10 via data communication medium 48, for example, on a periodic (e.g., once a day) or polled basis. As will be appreciated by those skilled in the art, the functionality and services provided by central server 20 may also be supplied, for example, by PC 24 thereby eliminating the need for a dedicated piece of computer hardware used for server purposes only."* The preceding text clearly indicates the use of aggregated data, where it would be obvious to an ordinary person skilled in the art that some form of an aggregate catalog is used to achieve the use of aggregate data.)(Column 3, lines 5-9; column 6, lines 37-46) a method for monitoring contents of the data centers to detect new storage of prescribed types of data objects owned by the members (i.e. *"An information monitoring system for the collection of all real-time information activity between a user and a variety of information services. The real-time interaction between a user using a communication device to interface with an information service is monitored to collect certain predetermined information which characterizes the nature of the user's interaction with a particular information service."* The preceding text clearly indicates that monitoring content of the data center is a monitoring system.)(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Hsiao with the teachings of Johnson '384 to include a method for monitoring contents of the data centers to detect new storage of prescribed types of data objects owned by the members with the motivation to provide the functions needed for content creation, storage, search, management, and distribution. (Hsiao, column 5, lines 13-15).

10.   In response to applicant's argument that there is no suggestion to combine the

references, the examiner recognizes that obviousness can only be established by

combining or modifying the teachings of the prior art to produce the claimed invention

where there is some teaching, suggestion, or motivation to do so found either in the

references themselves or in the knowledge generally available to one of ordinary skill in

the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is

to provide the functions needed for content creation, storage, search, management, and

distribution. (Hsiao, column 5, lines 13-15).

Any other arguments by the applicant are either more limiting than the claimed

language or completely irrelevant.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 1, 4, 7, 10, and 13 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Hsiao et al (U.S. Patent No. 6,804,674 and known hereinafter as

Hsiao) in view of Johnson et al (U.S. Patent No. 6,878,384 and known hereinafter as

Johnson *'384*).

As per claims 1, 7, and 13, Hsiao teaches a method for operating an online

service facility selectively accessed by multiple member computers, the online service

facility including a plurality of online data centers operated by an online service provider

(OSP) to store members' data objects relating to a variety of online services that the

OSP renders to its members, the method comprising operations of (i.e. *"A scalable content*

management system manages searches from a local content manager and a plurality of remote content

managers. A single scalable content manager manages data in a content repository or file system and its

associated metadata in the same content repository or in a database, which will greatly simplify both

content management logic and client application logic. The system architecture enables users to add ·

scalable content managers as needed, which allows users to easily scale up the scalable content

manager system, in both data size and user connection, as business grows. With the present scalable

system architecture, a multi-node content management system will appear to be a single content

management system to users, providing location transparency." The preceding text clearly indicates that

content management system contains members' data objects, which are content contained in the content

manager, which are stored in a plurality of on-line data centers. A plurality of content management

systems, as shown in Figure 6, item 650, clearly indicate that they are contained in a plurality of data

centers.)(Abstract; Figure 6, item 650): providing an aggregated catalog that contains

information including: (1) metadata identifying members' data objects residing in the

data centers, and (2) metadata identifying members' data objects residing in local

storage of respective member computers (i.e. *"The scalable content manager 515 manages the*

metadata stored in a database 525 and the primary content stored in a local file system 530 or resource

manager, providing an integrated function of both metadata management and data (primary content)

management." The preceding text clearly indicates that metadata are stored in the respective member

computer, which is a local file system and in the data center, which is a database. It is also understood by

an ordinary person skilled in the art that the content information can be stored in multiple databases,

again, which can reside in multiple data centers. Although Hsiao does not teach the use of an aggregate

catalog, the use of metadata is described. An ordinary person skilled in the art understands that when

using metadata, it implies the use of identifying data objects that are stored in a local file system (i.e.

computer. It is irrespective of where the metadata data objects are stored, as that is the applied use of

such art.)(Column 10, lines 49-53); communicating with the member computers to identify

prescribed types of data objects newly stored in the member computers' local storage

(i.e. *"If the query were to be satisfied by the remote content managers 650, the communications manager*

645 connects to other remote content managers 650 by sending requests and receiving the search

results, as described above in connection with the content manager 515." "In a content management

system, three types of information are stored: primary content (also referred to as data or object), User

Metadata, and System Metadata. Semi-structured and unstructured data, such as text file, image, web

page, video clip, etc., constitute the primary content in a content management system." The preceding

text clearly indicates that the communication manager allows communication with other remote content

managers, which are the member computers. The querying of results and receiving search results merely

illustrates the retrieval of results (i.e. data objects) that are not found in the querying system. Thus, it is

obvious that the results retrieved are new to the content manager (i.e. member's computer) and is stored.

)(Column 12, lines 12-16; column 1, lines 55-62); updating the aggregated catalog to list the

newly stored data objects from the online data centers and member computers' local

storage (i.e. *"When an object is inserted or updated in a content management system, reference to and*

description of the object will also need to be created or updated in order to provide data consistency and

avoid a referential integrity (RI) problem." "In addition, the scalable content management architecture

provides an extensible architecture that enables users to integrate new content, and to migrate existing

content with ease and flexibility." The preceding text clearly indicates that an aggregated catalog is a type

of content management system that can be updated.)(Column 3, lines 21-25; column 4, lines 51-54);

responsive to each request by a member, searching the aggregated catalog and

utilizing results of the search to provide an output for display at the requesting member's

computer, the output comprising a consolidated listing of both online data objects and

locally stored data objects owned by the requesting member (i.e. *"Users, such as remote*

Internet users are represented by a variety of computers such as computers 37, 39, and can query a

content management system 10 for the desired information." "It also provides a single system view to

users of the content management system when metadata and objects are stored in multiple computer

nodes. The location of an object and its associated" The preceding text clearly indicates that a when a

query is submitted by the user, a response is then returned to the user. In addition, included in a content

management system contains an interface that allows a single system view to users of the content

management system. Also, the single system view contains content that is pulled from multiple nodes,

which include a locally stored data object owned by the requesting member and online data objects

stored at the data center.)(Column 8, lines 32-35; column 4, lines 40-45).

Hsiao does not explicitly teach an aggregate catalog and a method for monitoring

contents of the data centers to detect new storage of prescribed types of data objects

owned by the members.

Johnson '384 teaches an aggregate catalog (i.e. *"The information is collected in real-*

time, on a operation-by-operation basis, and is ultimately aggregated, for example, at the household level

in a central location. The aggregated data is thereafter transmitted to a central server for data analysis

purposes." "Periodically, the files saved in memory 106 are uploaded to central server 20 (see FIG. 1)

which aggregates information from all the hardware devices being monitored. Thereafter, central server

20 sends the information to server 10 via data communication medium 48, for example, on a periodic

(e.g., once a day) or polled basis. As will be appreciated by those skilled in the art, the functionality and

services provided by central server 20 may also be supplied, for example, by PC 24 thereby eliminating

the need for a dedicated piece of computer hardware used for server purposes only." The preceding text

clearly indicates the use of aggregated data, where it would be obvious to an ordinary person skilled in

the art that some form of an aggregate catalog is used to achieve the use of aggregate data.)(Column 3,

lines 5-9; column 6, lines 37-46) a method for monitoring contents of the data centers to

detect new storage of prescribed types of data objects owned by the members (i.e. *"An*

information monitoring system for the collection of all real-time information activity between a user and a

variety of information services. The real-time interaction between a user using a communication device to

interface with an information service is monitored to collect certain predetermined information which

characterizes the nature of the user's interaction with a particular information service." The preceding text

clearly indicates that monitoring content of the data center is a monitoring system.)(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of

Applicant's invention to modify the teachings of Hsiao with the teachings of Johnson

'384 to include a method for monitoring contents of the data centers to detect new

storage of prescribed types of data objects owned by the members with the motivation

to provide the functions needed for content creation, storage, search, management, and

distribution. (Hsiao, column 5, lines 13-15).

As per claims 4 and 10, Hsiao does not explicitly teach a method where the

operations further comprise: during display of the consolidated listing at the member's

computer, updating the display substantially in real time to reflect any data objects that

are of prescribed types, owned by the member, and newly stored in the online data

center during the display.

Johnson '384 teaches a method where the operations further comprise: during

display of the consolidated listing at the member's computer, updating the display

substantially in real time to reflect any data objects that are of prescribed types, owned

by the member, and newly stored in the online data center during the display (i.e. *"An*

information monitoring system for the collection of all real-time information activity between a user and a

variety of information services. The real-time interaction between a user using a communication device to

interface with an information service is monitored to collect certain predetermined information which

characterizes the nature of the user's interaction with a particular information service." The preceding text

clearly indicates that real time update is the real-time interaction between a user using a communication

device to interface with an information service.)(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of

Applicant's invention to modify the teachings of Hsiao with the teachings of Johnson

'384 to include a method where the operations further comprise: during display of the

consolidated listing at the member's computer, updating the display substantially in real

time to reflect any data objects that are of prescribed types, owned by the member, and

newly stored in the online data center during the display with the motivation to provide

the functions needed for content creation, storage, search, management, and

distribution. (Hsiao, column 5, lines 13-15).

13.   Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hsiao et al (U.S. Patent No. 6,804,674 and known hereinafter as Hsiao) in view of

Johnson et al (U.S. Patent No. 6,878,384 and known hereinafter as Johnson *'384*) and

in further view of Kumamoto et al (U.S. Patent No. 5,805,858 and known hereinafter as

Kumamoto).

As per claims 2 and 8, Hsaio and Johnson '384 do not explicitly teach a method where: the consolidated listing includes a member-activatable VIEW feature; the operations further comprise, responsive to activation of the VIEW feature in conjunction with a particular one of the listed data objects, activating software to present contents of the particular data object to the member.

Kumamoto teaches a method where: the consolidated listing includes a member-activatable VIEW feature; the operations further comprise, responsive to activation of the VIEW feature in conjunction with a particular one of the listed data objects, activating software to present contents of the particular data object to the member (i.e. "When view feature data concerning each of the views is created, auxiliary knowledge data is selected on the basis of the view feature data (step 202). One of a plurality of auxiliary knowledge data concerning the front view is selected on the basis of view feature data concerning the front view. Further, one of a plurality of auxiliary knowledge data concerning the top view and one of a plurality of auxiliary knowledge data concerning the side view are respectively selected on the basis of view feature data concerning the top view and view feature data concerning the side view.")(Column 31, lines 61-67; column 2, lines 1-4).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Hsiao with the teachings of Johnson '384 and with the further teachings of Kumamoto to include a method where: the consolidated listing includes a member-activatable VIEW feature; the operations further comprise, responsive to activation of the VIEW feature in conjunction with a particular one of the listed data objects, activating software to present contents of the particular data object to the member with the motivation to provide the functions needed for

content creation, storage, search, management, and distribution. (Hsiao, column 5, lines 13-15).

14.   Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hsiao et al (U.S. Patent No. 6,804,674 and known hereinafter as Hsiao) in view of

Johnson et al (U.S. Patent No. 6,878,384 and known hereinafter as Johnson '384) and

in further view of Johnson et al (U.S. Patent No. 5,964,839 and known hereinafter as

Johnson '839).

As per claims 5 and 11, Hsiao and Johnson '384 do not explicitly teach a method

where the monitoring operation is carried out by at least one of the following operations:

communicating with the data centers to identify data objects contained therein;

monitoring members' activities conducted while accessing the online service facility.

Johnson '839 teaches a method where the monitoring operation is carried out by

at least one of the following operations: communicating with the data centers to identify

data objects contained therein (i.e. *"In addition, other substantive data (e.g., type of service, type*

and number of inquiries made, etc . . .) regarding the real-time interaction are collected. The information

is collected in real-time, on a operation-by-operation basis, and is ultimately aggregated, for example, at

the household level in a central location. The aggregated data is thereafter transmitted to a central server

for data analysis purposes.")(Column 3, lines 13-18); monitoring members' activities conducted

while accessing the online service facility (i.e. *"An object of the present invention is thus to*

provide a system and method for the monitoring and collection of all inbound/outbound information

activity and communications activity at a particular user location, for example, a household equipped with

a variety of devices having communication capabilities. In accordance with an aspect of the present

invention, the real-time interaction between a user and an external information service is monitored and

specific data are collected regarding that real-time interaction. For example, when a user is connected to

a commercial information service (e.g., CompuServe or Prodigy) connectivity data (e.g., date/time of

interactive session, number of packets sent/received, file name, application ID, etc . . .) are

collected.")(Column 2, lines 66-67; column 3, lines 1-13).

It would have been obvious to a person of ordinary skill in the art at the time of

Applicant's invention to modify the teachings of Hsiao with the teachings of Johnson

'384 and further with the teachings of Johnson '839 to include a method where the

monitoring operation is carried out by at least one of the following operations:

communicating with the data centers to identify data objects contained therein;

monitoring members' activities conducted while accessing the online service facility with

the motivation to provide the functions needed for content creation, storage, search,

management, and distribution. (Hsiao, column 5, lines 13-15).

Conclusion

15.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

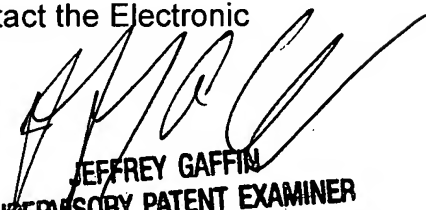extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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